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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/414,762	10/07/1999	RAVI ANANT RAVINDRANATH	003239.P048	3818

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03/24/2003

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EXAMINER

LEE, TIMOTHY L

ART UNIT

PAPER NUMBER

2697

DATE MAILED: 03/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/414,762

Applicant(s)

RAVINDRANATH ET AL.

Examiner

Timothy Lee

Art Unit

2697

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-27,33-41 and 48-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-27,33-41 and 48-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.                      6) ☐ Other:

## DETAILED ACTION

### *Drawings*

1. This application, filed under former 37 CFR 1.60, lacks formal drawings. The informal drawings filed in this application are acceptable for examination purposes. When the application is allowed, applicant will be required to submit new formal drawings. In unusual circumstances, the formal drawings from the abandoned parent application may be transferred by the grant of a petition under 37 CFR 1.182.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 21-24, 25-27, 33-35, 36-38, and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rainis et al. (US 6,310,873).

4. Regarding claims 21, 25, 33, 35, 36, and 39, Rainis et al. discloses a system that provides telephonic communication over the Internet. Fig. 1 discloses a system where a client (endpoint) contacts a directory server (terminal gateway) when it would like to place a call. The directory server is then responsible for identifying telephony servers that might be willing to handle the call. See also Fig. 2, and col. 4, line 51-col. 5, line 49. Each telephony server handles calls for a specific calling area, and by comparing the receiving party's phone number, the directory server identifies the telephony servers that would be willing to accept the call. After a server is chosen, the server instructs the telephony hardware to begin the process of calling out to the specified

Art Unit: 2697

PSTN number. The user is then notified if the phone is ringing, busy, or when the receiving party picks up (registering a first line of the endpoint with a first communications server; establishing a first telephone call on the first line of the endpoint to a second endpoint via the first communications server). See also col. 6, line 54-col. 7, line 4. Rainis et al. does not expressly disclose registering a second line of the endpoint with a second communications server and establishing a second telephone call on the second line of the endpoint to a third endpoint via the second communications server, but it would have been obvious to a person of ordinary skill in the art at the time of the invention to register a second line with a second server and to establish a second telephone call. One of ordinary skill in the art would have been motivated to do this because Rainis et al. mentions that another embodiment of the invention provides an Internet telephony system that provides as a gateway into a variety of information sources and value added service like call forwarding, call waiting, teleconferencing, and multi-party calling. See col. 17, lines 22-37. In multi-party calling, the user would most likely attempt to make another call while the current call is in session, hence a *multi-party* call. The process of making another call would follow the procedure already explained above, which includes picking a telephony server and placing the call. If a different server is chosen, then the second call will be completed by registering a second line of the endpoint with a second communications server.

5. Regarding claim 25 more specifically, in order to keep a list of telephony servers it might contact and to identify telephony servers that might be willing to handle the call, the directory server must inherently contain a memory and a processor. See col. 5, lines 24-38. The directory

Art Unit: 2697

server also receives its instructions to begin the process of finding a telephony server from the client.

6. Regarding claims 36 and 37 more specifically, it is inherent that the directory server would include computer readable program code in order to perform the functions of updating the registration table (list of telephony servers), and to transmit registration messages to the servers from the endpoints.

7. Regarding claims 22 and 40, in order to make a multi-party call, this implies that the first telephone call is not disconnected, or it would just be the same as ending the first call and starting the call initiating process over again.

8. Regarding claim 23, if a multi-party call can include a second server and a third endpoint, then it can certainly extend to a fourth endpoint via a third communications server.

9. Regarding claims 24 and 41, Rainis et al. discloses that a "call" occurs when two or more parties communicate or exchange information using telephony equipment. When the handset is removed from the cradle, this is called an off-hook condition, which tells the central office exchange that someone wants to make a call. The central office returns a dial tone to the calling phone to let the caller know that the exchange is ready to accept a telephone number. The telephone set sends the telephone number by dial pulses or by audio tones. A ringing signal is sent to the called phone to alert the called party that a call is waiting. When the called party removes the handset in response to a ring, the loop to that phone is completed by its closed switchbook. See col. 1, lines 10-51.

Art Unit: 2697

10. Regarding claim 26, if the line connecting the client to the directory services is part of the endpoint, then the directory services must contain part of the client because the line also connects to directory services.

11. Regarding claim 27, it is entirely possible that the second and third endpoints could be the same endpoint. Rainis et al. discloses that the system architecture allows telephony servers to provide access to overlapping service areas, providing opportunities for competition between telephony servers. Therefore, it is possible to connect two lines to the same endpoint through two different servers. See col. 11, lines 23-30.

12. Regarding claim 34, Rainis et al. does not expressly disclose mapping the first and second lines to keys on the endpoint, but it would have been obvious to map lines to keys. One would have been motivated to do this because mapping the lines to keys provides a way for toggling between the two lines.

13. Regarding claim 38, the computer code certainly could be contained at the IP endpoint, which in the case of Rainis et al. is a telephone enabled computer. Rainis et al. discloses that sometimes it is desirable to have one CPU acting as both directory and database server. See col. 11, lines 45-47.

14. Regarding claims 49 and 50, Rainis et al. does disclose an Internet telephony system, so inherently, the terminal gateway must communicate to the server through an IP address of some sort, whether it be the first call or the second call.

### *Conclusion*

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Deadman et al. (US 5,949,765), Roy (US 6,049,531), Gorman et al. (US 6,370,149),

Art Unit: 2697

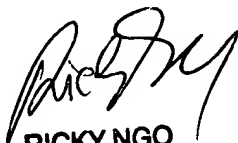
Capers et al. (US 6,418,205) disclose communication systems that contain accessing multiple servers or endpoints.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy Lee whose telephone number is (703)305-7349. The examiner can normally be reached on M-F, 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (703)305-4789. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-9420 for regular communications and (703)746-9420 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

TLL  
March 6, 2003

  
RICKY NGO  
PRIMARY EXAMINER